

DRAFT

MINUTES OF THE CITY COUNCIL
OF THE
CITY OF GREENSBORO, N. C.

REGULAR MEETING:

3 DECEMBER 2002

The City Council of the City of Greensboro met in regular session at 6:00 p.m. on the above date in the Council Chamber of the Melvin Municipal Office Building with the following members present: Mayor Keith A. Holliday, presiding; Councilmembers Claudette Burroughs-White, Sandra G. Carmany, Florence F. Gatten, Yvonne J. Johnson, Robert V. Perkins, Thomas M. Phillips, and Donald R. Vaughan. Absent: Councilmember Belvin J. Jessup, excused by action of Council. Also present were J. Edward Kitchen, City Manager; Linda A. Miles, City Attorney; and Juanita F. Cooper, City Clerk.

The meeting was opened with a moment of silence and the Pledge of Allegiance to the Flag.

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The Manager recognized Dale Dillon, employee in the Finance Department, who served as courier for the meeting.

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The Mayor explained the Council procedure for conduct of the meeting.

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Mayor Holliday spoke to the significant contributions to the City Council and citizens of Greensboro by the hundreds of volunteers who serve on various boards and commissions. Noting that a certificate of appreciation, Mayor's congratulatory letter and a memento of Council's appreciation had been forwarded to each of these retiring members, he thereupon acknowledged the service of the following individuals on the respective board or commission: Jack McIntire--Greensboro Transit Authority; Joe Thompson--Historic Preservation Commission; Carrie McClenton--Greensboro Housing Authority; Lamar Deloatch, Richard Koritz, Deena Hayes and Girtha Vines--Human Relations Commission; Robert Isner and Charles Sandlin--Parks and Recreation Commission; Sandra O'Connor--Planning Board; Yvonne Johnson, Tourism Development Authority; J. M. Almon, Jr., Tony Collins and Arthur Winstead--War Memorial Commission; and James Galyon, Jr.--Zoning Commission. Ms. McClenton and Councilmember Johnson were present in the Chamber for the recognition.

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Councilmember Vaughan moved to excuse Councilmember Jessup from attendance at this meeting. The motion was seconded by Councilmember Carmany and adopted unanimously by voice vote of Council.

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Mayor Holliday stated that this was the time and place set for a public hearing to consider an ordinance amending Chapter 30 of the Greensboro Code of Ordinances with respect to Zoning, Planning and Development to amend Section 30-5-4.5. Flexibility Standards, to allow water wise plant species and planting techniques; he noted this matter was continued from the October 15, 2002 Council meeting.

C. Thomas Martin, Planning Department Director, spoke to the recent Council briefing with regard to this issue and noted that Randal Romie would explain the proposed amendments to the ordinance.

Randal Romie, residing at 5102 North Oaks Drive, member of the Advisory Commission on Trees, briefly reviewed the proposed amendments with regard to water wise landscaping provisions contained in the proposed ordinance; he stated this ordinance represented a proactive approach to drought conditions.

Councilmember Phillips briefly discussed with Messrs. Martin and Romie and Melissa Begley, Urban Forester for the Planning Department, his concern that the wording drip irrigation, without including drip misters, was not consistent with the wording in the Emergency Water Ordinance adopted by Council and might create confusion among Greensboro's water users and the landscaping industry. After discussion and in order to remain consistent with language in the Code, Councilmember Phillips moved that the portion of the ordinance (*O Irrigation*) be amended to add "*drip misters*". The motion was seconded by Councilmember Johnson and adopted unanimously by voice vote of Council.

Mayor Holliday asked if anyone wished to be heard.

There being no one present desiring to speak to this matter, Councilmember Vaughan moved to close the public hearing. The motion was seconded by Councilmember Carmany and adopted unanimously by voice vote of Council.

Councilmember Burroughs-White moved adoption of the ordinance, as amended. The motion was seconded by Councilmember Gatten; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan. Noes: None.

02-238 AMENDING CHAPTER 30

AN ORDINANCE AMENDING THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO ZONING, PLANNING AND DEVELOPMENT

Section 1. That Section 30-5-4.4, Landscaping Design and Maintenance Standards, is hereby amended by rewriting Subsections (B), (C), (D), and (E) to read as follows:

- (B) "Plant Species: Species used in required planting yards and parking lots shall be of a locally adapted nature. Refer to the recommended plant species list, which includes water wise species, in Appendix 6 (Landscaping). Other species may be approved by the City Urban Forester or Enforcement Officer.

Deleted: drought tolerant

- (C) Plant Size: The size of the required plant species is dependant on whether it is drought tolerant or not drought tolerant. Specific plant sizes are listed below:

- 1) Canopy Tree Size: Water wise canopy trees, using required planting techniques must be a minimum of two (2) inches in caliper, measured six (6) inches above grade, when planted (See Section 30-5-4.4 (N)). When mature, a canopy tree should be forty (40) feet high and have a minimum crown width of thirty (30) feet. Other canopy trees must be a minimum of three (3) inch caliper, measured (6) inches above grade, when planted.
- 2) Understory Tree Size: Water wise understory trees must be a minimum of one (1) inch in caliper, measured six (6) inches above grade, when planted. (See section 30-5-4.4 (N)). When mature, an understory tree should be twenty-five (25) to forty (40) feet high. Other understory trees, must be a minimum of two (2) inches in caliper measured six (6) inches above grade at the time of installation.
- 3) Shrub Size and Type: All approved water wise shrubs, using required planting techniques planted parallel to the edge of parking lots, access drives, loading and unloading areas and outside storage shall be evergreen and installed at a minimum size of eighteen (18) inches, spread or height, and reach a minimum height of thirty-six (36) inches and a minimum spread of thirty (30) inches. (See section 30-5-4.4 (N)). Required water wise shrubs in other locations, outside of the areas listed above may be evergreen or deciduous, shall be three (3) gallon in size as per ANSI standards at the time of installation.

Section 2. That Section 30-5-4.4, Landscaping Design and Maintenance Standards, is hereby amended by renumbering Subsections (F) through (P) to (D) through (M).

Section 3. That Section 30-5-4.4, Landscaping Design and Maintenance Standards, is hereby amended by adding Subsections (N) and (O) to read as follows:

(N) "Water wise Planting Techniques: The following soil preparation techniques shall be used for all required landscape areas.

- 1) Soil preparation for the entire landscape yard includes the addition of organic amendments tilled to a depth of ~~eight (8) to twelve (12)~~ inches.
- 2) ~~All plantings in the landscape yards shall be mulched including interior parking lot islands under five hundred (500) square feet to a depth of three (3) to four (4) inches and maintained weed free thereafter.~~
- 3) Earthen basins are constructed around the installed plants.
- 4) Plants, as permitted by this Ordinance, are grouped together where possible.
- 5) For establishment and survival, plants shall be watered in the first year of planting.

Deleted: twelve (12)

Deleted: Mulch is installed over the entire landscape yard

Deleted: at

(O) Irrigation: ~~It is suggested that drip irrigation, which includes drip misters, be used for required landscaping planting beds during the required establishment period. After establishment, supplemental watering can be reduced and used on an as needed basis. Traditional spray irrigation is prohibited except for turf areas.~~

Deleted: Required landscape plantings may use drip irrigation, however it is recommended that no irrigation be used. Traditional spray irrigation is prohibited except in parking lot islands.

Section 4. All ordinances in conflict with the provisions of this ordinance are repealed to the extent of such conflict.

Section 5. This ordinance shall become effective on February 1, 2003.

(Signed) Claudette Burroughs-White

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Mayor Holliday stated that this was the time and place set for a public hearing to consider an ordinance amending Chapter 30 of the Greensboro Code of Ordinances with respect to Zoning, Planning and Development to establish new requirements for the construction of sidewalks along public and private streets in conjunction with subdivision and site plan development; he noted this matter was continued from the November 19, 2002 meeting of Council.

Jim Westmoreland, Department of Transportation Director, stated that staff had followed Council's directions at the last meeting and made additional changes which resulted in a better ordinance; he stated staff believed the ordinance was an enhancement for the Council goals with regard to walkability. Mr. Westmoreland provided a PowerPoint presentation with respect to sidewalk ordinance amendments, including information about walkability policy, key provisions, required and exempt locations, other elements, and the sidewalk petition process; he also provided citizens with City contact information. He expressed appreciation to participants in the overall process; i.e., Council, City staff, and members of the public, especially members of the Triad Real Estate Building Industry Coalition (TREBIC). (A copy of the presentation is filed in Exhibit Drawer N, Exhibit Number 45, which is hereby referred to and made a part of these minutes.)

Steve Showfety, Chairperson of TREBIC, spoke to the broad based participation involved with the creation of the proposed amendment and expressed appreciation to City staff. Speaking briefly to the ordinance, Mr. Showfety stated that he believed Greensboro had created an ordinance of which the City could be proud and that other cities would use as a guide by which to pattern ordinances for their municipalities.

Council discussed with Mr. Westmoreland the fact that this policy addressed new streets, that existing streets were subject to review by City staff to determine if sidewalks were needed, and that citizens could request

sidewalks by petition. Additional discussion was held with regard to sidewalks on major thoroughfares, the petition process, policy related to the cost of sidewalks, etc.

Stating that he continued to receive citizens' calls expressing concern with private streets; i.e., condition of streets, certain City services not provided, etc., Councilmember Phillips requested that Council and City staff discuss the overall issue of private streets.

Patti Banks, PO Box 36231, stated that she was opposed to the proposed ordinance. She offered her personal thoughts, concerns and rationale for opposing the sidewalk proposed for Bethany Trace in the Bethany Woods neighborhood.

Mr. Martin stated that he had met with Ms. Banks to discuss her concerns and had explained to her that the sidewalk in her neighborhood was necessary because of the need for citizens to walk to the recreation center and school located in that area. Mr. Martin reiterated that the proposed ordinance offered for Council's consideration had nothing to do with the sidewalk proposed for Ms. Banks' street. After additional remarks by Mr. Martin with regard to subdivision ordinance requirements, changes in policy with regard sidewalks, etc., Councilmember Carmany moved to close the public hearing. The motion was seconded by Councilmember Vaughan and adopted unanimously by voice vote of Council.

Councilmember Johnson thereupon moved adoption of the ordinance. The motion was seconded by Councilmember Burroughs-White; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan. Noes: None.

02-239 AMENDING CHAPTER 30

AN ORDINANCE AMENDING THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO ZONING, PLANNING AND DEVELOPMENT

Section 1. That Section 30-2-2, Definitions, is hereby amended by deleting the definition of "Sidewalk" in Subsection 30-2-2.11.

Section 2. That Section 30-2-2, Definitions, is hereby amended by moving the definition of "Green Space" from Subsection 30-2-2.13 to Subsection 30-2-2.7 and placing it in alphabetical sequence.

Section 3. That Section 30-2-1, Definition Index, is hereby amended by changing the ordinance reference for "Sidewalk" from "30-2-2.11" to "30-2-2.12", by changing the ordinance reference for "Green Space" from "30-2-2.13" to "30-2-2.7", and by adding the following in alphabetical sequence:

"City of Greensboro Sidewalk Manual	30-2-2.12
Permanent Dead-End Street	30-2-2.12
Sidewalk Easement	30-2-2.4
Stub Street	30-2-2.12
Through Street	30-2-2.12"

Section 4. That Section 30-2-2.12, Streets and Drives, is hereby amended by adding the following definitions in alphabetical sequence:

"City of Greensboro Sidewalk Manual. The administrative policies, procedures, and standards of the City of Greensboro, as applicable to the design and construction of sidewalks.

Permanent Dead-End Street. A street open to traffic at one end and, due to physical or environmental constraints, impracticable to extend beyond its present terminus at the other end.

Sidewalk. An improved surface intended to facilitate pedestrian access to or along adjacent streets, properties, or structures, and which is located within the right-of-way of a public street, within the common

elements (common area) of a private street, within a sidewalk easement, or along the length of any façade abutting parking areas.

Specified Pedestrian Destination. Any of the following:

- (1) A public or private elementary school, middle school, or secondary school, or any college or university.
- (2) A park; a recreational or cultural facility; or a public greenway trail, or similar amenity.
- (3) A retail commercial or restaurant facility.
- (4) A public transportation boarding or alighting site, as designated by the operator(s) of a public transportation service.

Strategic Pedestrian Route. A street, along which planned or established point(s) of pedestrian ingress or egress to a specified pedestrian destination are situated.

Stub Street. A street having one end open to traffic, but which is neither a cul-de-sac street nor a permanent dead-end street.

Through Street. A street that is not a cul-de-sac street and which intersects with at least two other streets that are not cul-de-sac streets.”

Section 5. That Section 30-2-2.4, Easements, is hereby amended by adding the following definition in alphabetical sequence:

“*Sidewalk Easement.* An easement which grants to the City Council the right to install and maintain a sidewalk therein, and which grants public access for the use thereof.”

Section 6. That Section 30-1-3, Purpose, is hereby amended by adding a new subsection 30-1-3.19 to read as follows:

“30-1-3.19. Sidewalk Purposes.

The sidewalk regulations, adopted and prescribed in this Ordinance, are found by the City Council to be necessary and appropriate to:

- (A) Facilitate the movement of pedestrians in an efficient manner;
- (B) Provide a safe pedestrian environment;
- (C) Provide sidewalks in areas where walking is anticipated throughout the jurisdiction;
- (D) Ensure pedestrian connections to schools, parks, shopping facilities, green spaces, and public recreation facilities;
- (E) Provide for the coordination of pedestrian facilities within subdivisions with existing pedestrian facilities or planned pedestrian facilities;
- (F) Support the adopted Greensboro Walkability Policy; and
- (G) Promote public health through the provision of convenient exercise opportunities.”

Section 7. That Section 30-6-13.5, Sidewalks, is hereby amended by rewriting subsection (A) and by adding new subsections (B) and (C) to read as follows, and by reordering the existing subsection (B) to become subsection (D).

- “(A) *General.* Sidewalks shall be installed along public streets which are within or abut a subdivision, and at other locations as specified below.
- (1) *Required Locations:*
 - (a) Along both sides of new and existing major thoroughfare streets and minor thoroughfare streets, not otherwise subject to lesser requirements.

- (b) Along one side of new and existing collector and sub-collector streets, not otherwise subject to lesser requirements, except that upon review by the TRC, both sides may be required where one or more of the following conditions exists:
 - (i) The current or projected average daily traffic volume is greater than 8,000 vehicles per day.
 - (ii) The posted speed limit is greater than 35 miles per hour.
 - (iii) The street is a strategic pedestrian route to a specified pedestrian destination located within one quarter mile, as measured along the street centerline.
 - (iv) Other pedestrian safety, access, or circulation needs are identified.
 - (c) Along one side of new and existing local streets not otherwise subject to lesser requirements.
- (2) Exempt Locations:
- (a) Along new and existing local and sub-collector residential streets where, upon review by the TRC, the following conditions are found by GDOT to exist:
 - (i) The proposed development is within an area consisting predominantly of existing single-family residential development, where no sidewalks are present; and
 - (ii) The character and size of the proposed development will not result in substantial additional pedestrian facility needs; and
 - (iii) There are no new pedestrian facilities planned that would provide a pedestrian connection to the proposed development.
 - (b) Along new and existing cul-de-sac streets and permanent dead-end streets, which are eight hundred (800) feet or less in length, and which are not strategic pedestrian routes.
 - (c) Along streets that are North Carolina Department of Transportation controlled access facilities.
- (B) *Extent.* Sidewalks required by this Ordinance shall be constructed along that portion of the street or streets which the parcel abuts, for the full length of the property line abutting the street or streets. Where sidewalks are required to be installed on one side of a street, the Technical Review Committee shall determine upon which side the sidewalks are to be installed, based upon criteria specified in the City of Greensboro Sidewalk Manual.
- (C) *Construction Standards.* All sidewalks, whether required by this Ordinance or installed voluntarily, shall meet or exceed all applicable standards as specified herein and in the most recent version of the City of Greensboro Sidewalk Manual.”

Section 8. That Section 30-5-1, Development Standards for All Uses, is hereby amended by adding a new subsection 30-5-1.5 to read as follows:

“30-5-1.5 Sidewalks.

- (A) *General:* Sidewalks shall be installed along public streets which abut a property subject to site plan approval by the Technical Review Committee.
- (1) Required Locations:
 - (a) Along the abutting side of major thoroughfare streets and minor thoroughfare streets, not otherwise subject to lesser requirements.
 - (b) Along one side of new and existing collector and sub-collector streets, not otherwise subject to lesser requirements, except that upon review by the TRC, the abutting side may be required where one or more of the following conditions exists:
 - (i) The current or projected average daily traffic volume is greater than 8,000 vehicles per day.
 - (ii) The posted speed limit is greater than 35 miles per hour.
 - (iii) The street is a strategic pedestrian route to a specified pedestrian destination located within one quarter mile, as measured along the street centerline.

- (iv) Other pedestrian safety, access, or circulation needs are identified.
- (c) Along one side of new and existing local streets not otherwise subject to lesser requirements.

(2) Exempt Locations:

- (a) Along new and existing local and sub-collector residential streets where, upon review by the TRC, the following conditions are found by GDOT to exist:
 - (i) The proposed development is within an area consisting predominantly of existing single-family residential development, where no sidewalks are present; and
 - (ii) The character and size of the proposed development will not result in substantial additional pedestrian facility needs; and
 - (iii) There are no new pedestrian facilities planned that would provide a pedestrian connection to the proposed development.
 - (b) Along new and existing cul-de-sac streets and permanent dead-end streets, which are eight hundred (800) feet or less in length, and which are not strategic pedestrian routes.
 - (c) Along streets that are North Carolina Department of Transportation controlled access facilities.
- (B) *Extent.* Sidewalks required by this Ordinance shall be constructed along that portion of the street or streets which the parcel abuts, for the full length of the property line abutting the street or streets. Where sidewalks are required to be installed on one side of a street, the Technical Review Committee shall determine upon which side the sidewalks are to be installed, based upon criteria specified in the City of Greensboro Sidewalk Manual.
- (C) *Construction Standards.* All sidewalks, whether required by this Ordinance or installed voluntarily, shall meet or exceed all applicable standards as specified herein and in the most recent version of the City of Greensboro Sidewalk Manual.”

Section 9. That Section 30-3-9, Sureties or Improvement Guarantees, is hereby amended by adding a new subsection 30-3-9.5 to read as follows:

“30-3-9.5 Fee in Lieu of Required Sidewalk Installation.

Where the installation of sidewalk is required by an ordinance of the City, and the City Engineer determines that installation at the time of development would conflict with a city, state, or federal roadway project planned or programmed to begin construction within four years, the developer shall be required to submit a fee in lieu of such installation. Fees submitted in lieu of required sidewalk installation shall be in an amount of the entire estimated cost of completing the installation, based on current contract unit prices, as approved by the City Engineer. All fees collected by the City pursuant to this subsection shall be deposited in the Street and Sidewalk Revolving Fund and used only for construction of sidewalks on the site, or in the street right-of-way abutting the site, for which the fee is collected. Use of submitted funds to construct said sidewalks shall be coordinated with the appropriate phase of the conflicting roadway project. To the extent that the conflict which necessitated the fee-in-lieu is eliminated by cancellation or alteration of the conflicting roadway project, funds submitted for construction of sidewalks in coordination with said project shall be refunded to the developer.”

Section 10. That Section 30-9-11.4, Sections Affected, is hereby amended by inserting a new subsection (D) to read as follows and by renumbering the present subsections (D) through (P) to become (E) through (Q):

- “(D) Section 30-5-1.5: Sidewalks (see most recent version of City of Greensboro Sidewalk Manual for guidance)”.

Section 11. That Section 30-9-11.4, Sections Affected, is hereby amended by rewriting new subsection (O) to read as follows:

- “(O) Section 30-6-13.5: Sidewalks (see most recent version of City of Greensboro Sidewalk Manual for guidance)”.

Section 12. That Section 30-5-3.4, Design Standards for Parking, Stacking, and Loading, is hereby amended by rewriting subsection (A), Design, as follows:

- “(A) *Design:* Parking facilities shall be designed and constructed to:
- (1) Allow unobstructed movement into and out of each parking space without interfering with fixed objects or vehicles.
 - (2) Minimize delay and interference with traffic on streets and drives.
 - (3) Maximize sight distances from parking lot exits and access drives.
 - (4) Require all off-street parking spaces in parking lots to have access from parking lot driveways, private drives, or private streets and not directly from public streets.”

Section 13. That Section 30-5-5.17, Sandwich Board Signs, is hereby amended by deleting the final sentence of subsection (C), Location.

Section 14. That Section 30-6-13.3 (H)(7), Sidewalks, is hereby deleted.

Section 15. That Table 30-7-1-3, Density Limits in Upper and Lower Randleman Lake Watersheds in Dwelling Units Per Acre & % Built-Upon Area, is hereby amended, adding a superscript “¹” following the word “Area” in the title, and inserting the following as Footnote (1), immediately following the table text:

“¹ If, compared to the sidewalk installation requirements effective through December 31, 2002, the sidewalk installation requirements contained in Ordinance Number 02-239, effective January 1, 2003, increase the amount of sidewalk built-upon area, thereby exceeding the maximum built-upon area allowable under the High Density Option or necessitating additional stormwater control, treatment, or mitigation measures, the Technical Review Committee may approve reductions to required street pavement widths, sidewalk widths, driveway widths, or off-street parking area, so as to result in the same built-upon area as under the previous sidewalk installation requirements.”

Section 16. That Table 30-7-1-4, Density Limits in Other Water Supply Watersheds in Dwelling Units Per Acre & % Built-Upon Area, is hereby amended, adding a superscript “¹” following the word “Area” in the title, and inserting the following as Footnote (1), immediately following the table text:

“¹ If, compared to the sidewalk installation requirements effective through December 31, 2002, the sidewalk installation requirements contained in Ordinance Number 02-239, effective January 1, 2003, increase the amount of sidewalk built-upon area, thereby exceeding the maximum built-upon area allowable under the High Density Option or necessitating additional stormwater control, treatment, or mitigation measures, the Technical Review Committee may approve reductions to required street pavement widths, sidewalk widths, driveway widths, or off-street parking area, so as to result in the same built-upon area as under the previous sidewalk installation requirements.”

Section 17. That Table 30-7-2-3, General Watershed Area Performance Scoresheet, is hereby amended, adding the following in numerical sequence, to the accompanying Definitions, Explanations, and Standards:

“2. If, compared to the sidewalk installation requirements effective through December 31, 2002, the sidewalk installation requirements contained in Ordinance Number 02-239, effective January 1, 2003, increase the amount of sidewalk built-upon area, thereby reducing the number of built-upon area points earned, the Technical Review Committee may approve reductions to required street pavement widths, sidewalk widths, driveway widths, or off-street parking area, so as to result in the same built-upon area as under the previous sidewalk installation requirements.”

Section 18. All ordinances in conflict with the provisions of this ordinance are repealed to the extent of such conflict.

Section 19. This ordinance shall become effective January 1, 2003.

(Signed) Yvonne J. Johnson

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The Mayor stated that this was the time and place set for a public hearing to consider an ordinance annexing territory to the corporate limits located in Grandover on Creswell Court—3.671 acres. Mayor Holliday asked if anyone wished to be heard.

After Mr. Martin advised the zoning was already in place for this property and there being no one present desiring to speak to this matter, Councilmember Johnson moved adoption of the ordinance. The motion was seconded by Councilmember Vaughan; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan. Noes: None.

02-240 AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED IN GRANDOVER ON CRESWELL COURT—3.671 ACRES)

Section 1. Pursuant to G.S. 160A-58.1, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at a point in the existing Greensboro corporate limits (as of October 31, 2002), said point being in the eastern line of Grandover Plat 11, East Golf Course Parcel 5, recorded in Plat Book 121, Page 31 in the Office of the Register of Deeds of Guilford County; THENCE DEPARTING FROM THE EXISTING CITY LIMITS S 40° 46' 52" E 27.04 feet to a point; thence S 35° 51' 16" E 32.20 feet to a point; thence S 30° 16' 19" E 20.15 feet to a point; thence S 41° 07' 02" E 45.23 feet to a point; thence S 35° 00' 32" E 44.26 feet to a point; thence S 45° 01' 04" E 17.61 feet to a point; thence S 63° 10' 57" E 50.00 feet to a point; thence S 26° 49' 03" E 9.85 feet to a point; thence along a curve to the right having a radius of 325.00 feet and an arc length of 27.60 feet, being subtended by a chord with a bearing of S 29° 15' 02" W for a distance of 27.59 feet to a point; thence S 53° 22' 32" E 211.03 feet to a point; thence S 80° 27' 10" W 204.43 feet to a point; thence S 4° 21' 01" W 186.74 feet to a point in the existing Greensboro city limits; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS N 61° 31' 20" W 171.85 feet to a point; thence N 68° 38' 00" W 50.00 feet to a point; thence along a curve to the right having a radius of 275.00 feet and an arc length of 81.13, being subtended by a chord with a bearing of S 29° 49' 08" W for a distance of 80.84 feet to a point; thence S 38° 16' 16" W 53.36 feet to a point; thence N 48° 54' 12" W 178.07 feet to a point; thence S 38° 25' 30" W 178.57 feet to a point; thence N 31° 54' 59" E 214.70 feet to a point; thence N 38° 24' 50" E 242.35 feet to a point; thence N 36° 32' 22" E 221.17 feet to a point; thence N 33° 44' 41" E 41.94 feet to the point and place of BEGINNING, and containing approximately 3.671 acres.

Section 2. The owner agrees to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owner shall be fully responsible for extending water and sewer service to the property at said owner's expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after February 28, 2003, the liability for municipal taxes for the 2002-2003 fiscal year shall be prorated on the basis of 4/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2003. Municipal ad valorem taxes for the 2003-2004 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after February 28, 2003.

(Signed) Yvonne J. Johnson

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Mayor Holliday stated that this was the time and place set for a public hearing to consider an ordinance annexing territory to the corporate limits located on the east side of McKnight Mill Road—35.988 acres. He thereupon introduced so these matters could be discussed together, an ordinance establishing original zoning classification from County Zoning Agricultural and RS-30 Residential Single Family for property located on the southeast side of McKnight Mill Road south of Briarmeade Road.

Using a map to illustrate the property and surrounding area, Mr. Martin stated that the annexation and original zoning had received unanimous recommendation for approval.

Mayor Holliday asked if anyone wished to be heard.

Gary Johnson, King, NC, was present in the Chamber to answer any questions.

Councilmember Burroughs-White moved to close the public hearing. The motion was seconded by Councilmember Phillips and adopted unanimously by voice vote of Council.

Mr. Martin presented the following staff recommendation for the original zoning item:

Item 10 – McKnight Mill Road

The Planning Department recommends that this original zoning be approved.

At its October 16, 2002 meeting, the Greensboro Planning Board unanimously recommended annexation of this tract.

There is a 30-inch water line in McKnight Mill Road alongside this property and sewer service can be extended, at developer's expense, from the lift station site which will serve Briarmeade Subdivision to the northeast.

The Briarmeade Subdivision was annexed on November 30, 2001 and originally zoned RS-12.

As staff pointed out at that time, Agricultural and RS-30 are not recommended urban zoning classifications, especially for lots that will be served with public water and sewer.

With the provision of water and sewer service, RS-12 is the typical single family zoning classification that is recommended for original zoning of residential property area.

Councilmember Burroughs-White moved adoption of the ordinance annexing territory to the corporate limits located on the east side of McKnight Mill Road—35.988 acres. The motion was seconded by Councilmember Johnson; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan. Noes: None.

02-241 AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED ON THE EAST SIDE OF MCKNIGHT MILL ROAD – 35.998 ACRES)

Section 1. Pursuant to G.S. 160A-58.1, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at the southwest corner of Malphus L. and Ruby A. Barber, as recorded at Deed Book 4370, Page 2121 in the Office of the Register of Deeds of Guilford County; thence N 87° 55' 24" W 71.70 feet to an

existing iron pipe in the north line of J. Donald and Audrey B. Smith; thence N 88° 10' 00" W 400.71 feet to an existing iron pipe in the north line of Anita C. Britt; thence N 88° 05' 31" W 642.69 feet along Britt's north line to Britt's northwest corner; thence S 06° 56' 04" W 100.15 feet along Britt's west line to an existing iron pipe; thence S 07° 24' 32" W 68.45 feet along Britt's west line to an existing iron pipe; thence S 08° 07' 30" W 54.57 feet along Britt's west line to an existing iron pipe; thence N 83° 53' 53" W 213.71 to the southeast corner of Charles Richard Pantan; thence N 09° 55' 31 W 454.46 feet along Pantan's east line to an existing iron pipe; thence N 20° 39' 08" W 295.82 feet along Pantan's east line to an existing iron pipe; thence S 69° 09' 44" W 80.00 feet along Pantan's east line to an existing iron pipe; thence N 20° 50' 16" W 90.00 feet along Pantan's east line to an existing iron pipe; thence N 69° 09' 44" E 80.00 feet along Pantan's east line to an existing iron pipe; thence N 20° 50' 76" W 190.00 feet along Pantan's east line to an existing iron pipe in the southeast right-of-way line of McKnight Mill Road; thence N 68° 18' 03" E 37.15 feet along said right-of-way line to a point; thence N 65° 11' 47" E 103.06 feet along said right-of-way line to a point; thence N 57° 14' 47" E 104.65 feet along said right-of-way line to a point; thence N 47° 20' 47" E 108.52 feet along said right-of-way line to a point; thence N 44° 52' 52" E 28.52 feet along said right-of-way line to a point; thence along said right-of-way with a curve to the left having a radius of 770.00 feet, an arc length of 322.16 feet, and a chord bearing and distance of N 29° 35' 08" E 319.81 feet to a point; thence S 69° 58' 77" E 297.17 feet to a new iron pin; thence N 04° 34' 46" E 135.48 feet to an existing iron pipe; thence S 84° 57' 10" E 183.46 feet to an existing iron pipe; thence S 84° 57' 10" E 209.58 feet to a new iron pipe on Barber's west line; thence S 20° 26' 10" E 1,388.22 feet to the point and place of BEGINNING, and containing approximately 35.988 acres.

Section 2. The owners agree to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owner shall be fully responsible for extending water and sewer service to the property at said owner's expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after February 28, 2002, the liability for municipal taxes for the 2002-2003 fiscal year shall be prorated on the basis of 4/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2003. Municipal ad valorem taxes for the 2003-2004 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after February 28, 2003.

(Signed) Claudette Burroughs-White

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Councilmember Burroughs-White moved adoption of the ordinance establishing original zoning classification from County Zoning Agricultural and RS-30 Residential Single Family for property located on the southeast side of McKnight Mill Road south of Briarmeade Road. The motion was seconded by Councilmember Phillips; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan. Noes: None.

02-242 AMENDING OFFICIAL ZONING MAP

SOUTHEAST SIDE OF McKNIGHT MILL ROAD SOUTH OF BRIARMEADE ROAD

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. The Official Zoning Map is hereby amended by establishing original zoning from County Zoning Agricultural and RS-30 Residential Single Family to City Zoning RS-12 Residential Single Family uses for the area described as follows:

BEGINNING at a point in the southeastern right-of-way line of McKnight Mill Road, said point being a common corner with Charles Richard Panton as recorded in Deed Book 5347, Page 549; thence along said right-of-way line the following courses and distances: N68°18'03"E 37.15 feet to a point; thence N65°11'47"E 103.06 feet to a point; thence N57°14'47"E 104.65 feet to a point; thence N47°20'47"E 108.52 feet to a point; thence N44°52'52"E 28.52 feet to a point; thence along a curve to the left a chord course and distance N29°35'08"E 319.81 feet (radius = 770.00 feet) to a point; thence leaving said right-of-way line S69°58'17"E 295.26 feet to a point; thence N04°34'46"E 127.18 feet to a point; thence S84°57'10"E 183.46 feet to a point; thence S84°57'10"E 209.58 feet to a point; thence S20°26'10"E 1602.68 feet to a point; thence N87°55'24"W 71.70 feet to a point; thence N88°10'00"W 400.71 feet to a point; thence N88°05'31"W 642.69 feet to a point; thence S06°56'04"W 100.15 feet to a point; thence S07°24'32"W 68.45 feet to a point; thence S08°07'30"W 54.57 feet to a point; thence N83°53'53"W 213.71 feet to a point; thence N09°55'31"W 454.46 feet to a point; thence N20°39'08"W 295.82 feet to a point; thence S69°09'44"W 80.00 feet to a point; thence N20°50'16"W 90.00 feet to a point; thence N69°09'44"E 80.00 feet to a point; thence N20°50'16"W 190.00 feet to the point and place of BEGINNING, containing 35.988 acres plus or minus as shown on "Annexation Map McKnight Mill Road Subdivision for Gary Johnson and Marvin Gentry" prepared by CPT Engineering and Surveying, Inc. and dated October 3, 2002.

Section 2. This ordinance shall be effective upon the date of annexation.

(Signed) Claudette Burroughs-White

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Moving to the Consent Agenda, Council was advised that Item #11, ordinance amending the FY-02-03 Budget with regard to a consolidated communications section had been approved at an earlier Council meeting. Councilmember Gatten moved to delete the item. The motion was seconded by Councilmember Burroughs-White and adopted unanimously by voice vote of Council.

Councilmember Gatten thereupon moved adoption of all ordinances, resolutions and motions on the Consent Agenda, as amended. The motion was seconded by Councilmember Carmany, the amended Consent Agenda was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan. Noes: None.

02-243 ORDINANCE AMENDING FY 01-02 GENERAL CAPITAL PROJECTS FUND BUDGET FOR REVERSAL OF UNFUNDED PARKS & RECREATION PROJECTS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the appropriation for the General Capital Projects Fund be decreased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
410-5004-01.6019 (013)	Tennis Court Repairs	\$ 200,000
410-5004-02.6011 (014)	Land Acquisition	300,000
410-5004-03.6013 (003)	Price Park Clubhouse	140,000
410-5004-04.6019 (004)	Bryan Park Tank Removal	100,000
410-5004-05.6059 (005)	Bryan Park Mixing Bldg.	150,000
410-5004-06.6019 (006)	Pool Repairs	125,000
410-5004-07.6019 (007)	Keeley Park Improvements	175,000
410-5004-08.6019 (008)	Bryan Park @ Guilford County	<u>200,000</u>

Total	\$1,390,000
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and, that this decrease be financed by decreasing the following General Capital Project Fund account:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
410-0000-000.9101	Transfer from General Fund	<u>\$1,390,000</u>
Total		\$1,390,000

(Signed) Florence F. Gatten

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02-244 RESOLUTION RESCINDING RESOLUTION AUTHORIZING THE MAKING OF CERTAIN LOCAL IMPROVEMENTS IN GALLIMORE DAIRY ROAD FROM CESSNA DRIVE TO WEST MARKET STREET (US 421)

WHEREAS, on February 1, 1996, the City Council authorized roadway improvements in Gallimore Dairy Road from Cessna Drive to West Market Street (US 421);

WHEREAS, the improvements called for were for widening with curb & gutter of Gallimore Dairy Road from Cessna Drive to West Market Street (US 421);

WHEREAS, since the authorization, the North Carolina Department of Transportation has agreed to handle the work under an upcoming municipal agreement and it will not be constructed or assessed by the City;

WHEREAS, in the opinion of City Council, it is deemed in the best interest of the City of Greensboro to rescind the resolution adopted on February 1, 1996.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the resolution adopted by the City Council on February 1, 1996, authorizing the making of certain local improvements (roadway) in Gallimore Dairy Road from Cessna Drive to West Market Street (US 421) is hereby in all respects rescinded.

(Signed) Florence F. Gatten

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02-245 AMENDING CHAPTER 16

AN ORDINANCE AMENDING CHAPTER 16 OF THE GREENSBORO CODE OF ORDINANCES WITH REPECT TO MOTOR VEHICLES AND TRAFFIC

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. That Sec. 16-139 of the Greensboro Code of Ordinances is hereby amended by rewriting the same to read as follows:

Sec. 16-139. Fifteen-minute unmetered parking.

(a) The areas designated in the official traffic records by legend A-4, A-5, A-6, A-7 or A-8 are established as fifteen-minute parking areas during the hours indicated:

A-4, fifteen-minute parking, 9:00 a.m. to 6:00 p.m. (unmetered).

A-5, fifteen-minute parking, 9:00 a.m. to 9:00 p.m. (unmetered).

A-6, fifteen-minute parking, 6:00 a.m. to 9:00 p.m. (unmetered).

A-7, fifteen-minute parking, 9:00 a.m. to 4:00 p.m. (unmetered).

A-8, fifteen-minute parking, any day of year (unmetered).

(b) It shall be a civil violation to park a vehicle in such areas during the hours indicated for more than fifteen (15) minutes.

Section 2. That all laws and clauses of laws in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

Section 3. That this ordinance shall become effective immediately upon its adoption.

(Signed) Florence F. Gatten

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206-02 RESOLUTION APPROVING BID AND AUTHORIZING EXECUTION OF CONTRACT NO. 2002-60
WITH VICK BROTHERS ELECTRICAL COMPANY, INC. FOR THE FLEET MAINTENANCE
FACILITY ELECTRICAL UPGRADES PROJECT

WHEREAS, after due notice, bids have been received for the Fleet Maintenance Facility electrical upgrades project;

WHEREAS, Vick Brothers Electrical Company, Inc. a responsible bidder, has submitted the low base and alternate bid in the total amount of \$144,400.00 as general contractor for Contract No. 2002-60, which bid, in the opinion of the City Council, is the best bid from the standpoint of the City;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the bid hereinabove mentioned submitted by Vick Brothers Electric Company, Inc. is hereby accepted, and the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper contract to carry the proposal into effect, payment to be made from Account No. 680-2505-05.6019 CBR 015.

(Signed) Florence F. Gatten

(A tabulation of bids for the Fleet Maintenance Facility electrical upgrades project is filed with the above resolution and is hereby referred to and made a part of these minutes.)

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207-02 RESOLUTION APPROVING BID AND AUTHORIZING EXECUTION OF CONTRACT NO. 2002-59
WITH LOMAX CONSTRUCTION FOR FIRE PREVENTION BUREAU AND FIRE MAINTENANCE
BUILDING PROJECT

WHEREAS, after due notice, bids have been received for the Fire Prevention Bureau and Fire Maintenance Building project;

WHEREAS, Lomax Construction a responsible bidder, has submitted the low base and alternate bid in the total amount of \$1,075,900.00 as general contractor for Contract No. 2002-59, which bid, in the opinion of the City Council, is the best bid from the standpoint of the City;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the bid hereinabove mentioned submitted by Lomax Construction is hereby accepted, and the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper contract to carry the proposal into effect, payment to be made from Account No. 436-4030-01.6013 CBR 001.

(Signed) Florence F. Gatten

(A tabulation of bids for the Fire Prevention Bureau and Fire Maintenance Building project is filed with the above resolution and is hereby referred to and made a part of these minutes.)

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02-246 ORDINANCE AMENDING THE COUNTY CONSTRUCTION PROJECTS FUND

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the County Construction Projects Fund - Waldenbrook Court Water Line Project - budget of the City of Greensboro is hereby amended as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
504-7036-01.6016	Water Line Construction	\$50,000

And, that the following revenue finances these appropriations:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
504-7036-01.8040	Contracted Services – Guilford County	\$50,000

(Signed) Florence F. Gatten

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Motion to approve report of budget adjustments for period October 1 through October 31, 2002 was unanimously adopted. (A copy of the report is filed in Exhibit Drawer N, Exhibit Number 1, which is hereby referred to and made a part of these minutes.)

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Motion to approve minutes of regular meeting of 4 November 2002 was unanimously adopted.

.....

Mayor Holliday introduced the following resolution, which was read by title and summarized by the City Manager, a copy thereof having been provided to each Councilmember prior to the meeting:

RESOLUTION AUTHORIZING THE REDEMPTION OF
CERTAIN OUTSTANDING BONDS OF THE CITY OF GREENSBORO

BE IT RESOLVED by the City Council of the City of Greensboro:

Section 1. The City Council has determined that it would be economically advantageous to the City to redeem, prior to their maturity, the City's outstanding 4.90% Refunding Bonds, Series 1992 maturing on February 1, 2004, in the aggregate principal amount of \$1,540,000 (the "1992 Bonds").

Section 2. The Finance Director is hereby authorized to take all steps necessary to effect the redemption, on February 1, 2003 or such other date as he shall determine, of the 1992 Bonds, including the giving of all required notices.

Section 3. This resolution shall take effect upon its passage.

Thereupon the City Attorney stated that she had approved as to form the foregoing resolution.

Upon motion of Councilmember Yvonne J. Johnson, seconded by Councilmember Claudette Burroughs-White, the foregoing resolution was passed by roll call vote as follows:

Ayes: Councilmembers Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan.

Noes: None.

The Mayor thereupon announced that the resolution entitled: "RESOLUTION AUTHORIZING THE REDEMPTION OF CERTAIN OUTSTANDING BONDS OF THE CITY OF GREENSBORO" had passed by a vote of 8 to 1.

* * * * *

Mayor Holliday introduced the following order authorizing bonds, which was read by title and summarized by the City Manager, a copy thereof having been provided to each Councilmember prior to the meeting:

ORDER AUTHORIZING
\$26,000,000 REFUNDING BONDS

BE IT ORDERED by the City Council of the City of Greensboro:

1. That, pursuant to The Local Government Bond Act, as amended, the City of Greensboro, North Carolina, is hereby authorized to contract a debt, in addition to any and all other debt which said City may now or hereafter have power or authority to contract, and in evidence thereof to issue Refunding Bonds in an aggregate principal amount not exceeding \$26,000,000 for the purpose of providing funds, together with any other available funds, for refunding all or any portion of the City's outstanding General Obligation Refunding Bonds, Series 1993 and General Obligation Public Improvement Bonds, Series 1994A, including the payment of expenses related thereto.

2. That taxes shall be levied in an amount sufficient to pay the principal of and the interest on said bonds.

3. That a sworn statement of the debt of said City has been filed with the City Clerk and is open to public inspection.

4. That this order shall take effect upon its adoption.

Thereupon Mayor Holliday introduced and read the following resolution:

RESOLUTION DESIGNATING THE FINANCE DIRECTOR
TO FILE SWORN STATEMENT OF DEBT

BE IT RESOLVED that the Finance Director be and he is hereby designated as the officer to make and file with the City Clerk the sworn statement of debt of the City which is required by The Local Government Bond Act, as amended, to be filed before the public hearing on the bond order which was introduced at this meeting.

Thereupon the City Attorney stated that she had approved as to form the foregoing resolution.

Upon motion of Councilmember Claudette Burroughs-White, seconded by Councilmember Thomas M. Phillips, the foregoing resolution was passed by roll call vote as follows:

Ayes: Councilmembers Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan.

Noes: None.

The Mayor thereupon announced that the resolution entitled: "RESOLUTION DESIGNATING THE FINANCE DIRECTOR TO FILE SWORN STATEMENT OF DEBT" had passed by a vote of 8 to 0.

Thereupon the Finance Director filed with the City Clerk, in the presence of the City Council, the sworn statement of debt as so required.

Thereupon, upon motion of Councilmember Claudette Burroughs-White, seconded by Councilmember Donald R. Vaughan, the order entitled: "ORDER AUTHORIZING \$26,000,000 REFUNDING BONDS" was passed on first reading by roll call vote as follows:

Ayes: Councilmembers Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan.

Noes: None.

The Mayor thereupon announced that the order entitled: "ORDER AUTHORIZING \$26,000,000 REFUNDING BONDS" had passed on first reading by a vote of 8 to 0.

Thereupon Mayor Holliday introduced and read the following resolution:

RESOLUTION CALLING A PUBLIC HEARING
CONCERNING THE ORDER
AUTHORIZING \$26,000,000 REFUNDING BONDS

BE IT RESOLVED that a public hearing upon the above-mentioned bond order will be held on December 17, 2002, at 6:00 P.M., in the City Council Chamber in the Melvin Municipal Office Building, 300 West Washington Street, Greensboro, North Carolina, and the City Clerk is hereby directed to publish said order, together with the appended note required by The Local Government Bond Act, as amended, in The Greensboro News & Record not later than the sixth day before said date.

Thereupon the City Attorney stated that she had approved as to form the foregoing resolution.

Thereupon, upon motion of Councilmember Yvonne J. Johnson, seconded by Councilmember Donald R. Vaughan, the resolution entitled: "RESOLUTION CALLING A PUBLIC HEARING CONCERNING THE ORDER AUTHORIZING \$26,000,000 REFUNDING BONDS" was passed on roll call vote as follows:

Ayes: Councilmembers Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan.

Noes: None.

The Mayor thereupon announced that the resolution entitled: "RESOLUTION CALLING A PUBLIC HEARING CONCERNING THE ORDER AUTHORIZING \$26,000,000 REFUNDING BONDS" had passed by a vote of 8 to 0.

* * * *

After Mayor Holliday introduced an ordinance granting Grassroots Production Limited the right to erect banners for Jefferson Pilot Financial along the 100 block of North Elm Street, North Greene Street, West Market Street and West Friendly Avenue, Councilmember Gatten moved that the ordinance be continued to the December 17 meeting of Council. The motion was seconded by Councilmember Vaughan and adopted by voice vote of Council.

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The Mayor noted the City Manager's recent job performance evaluation and read a resolution approving adjustment in annual compensation of the City Manager. Some members of Council expressed personal thoughts and appreciation to the Manager for a job well done during a very difficult year. Stating that he believed the City Manager had done an outstanding job, Councilmember Phillips stated that he could not support the increase because of the current bad economic conditions.

Councilmember Carmany moved adoption of the resolution. The motion was seconded by Councilmember Burroughs-White; the resolution was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, and Vaughan. Noes: Phillips.

208-02 RESOLUTION APPROVING ADJUSTMENT IN ANNUAL COMPENSATION OF THE CITY MANAGER

WHEREAS, pursuant to the memorandum of Employment Agreement, the City Council has reviewed the annual performance and compensation of the City Manager;

WHEREAS, following review, it is deemed appropriate to amend the annual compensation/benefits for the City Manager as hereinafter set out;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the Mayor is authorized to enter into an Employment Agreement with the City Manager under the terms and conditions of his previous contract with the following amendments:

1. The annual compensation referred to shall be \$165,744.00.
2. That the City shall make a one time contribution for the City Manager in the amount of \$3,000.00 to the 457 Deferred Compensation Plan.

(Signed) Sandy Carmany

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Mark E. Funderburk, residing at 4004 Oak Grove Avenue, expressed concern and personal thoughts with regard to the City's notification of a previous property owner, not the current property owner, with regard to lot cleanup assessment.

Butch Simmons, Interim Engineering and Inspections Department Director, explained the current process used to search for property owners and emphasized the City's new process with regard to property changes should alleviate this type of situation.

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Bernadette C. Wilson, residing at 300-A North Mendenhall Street, cited personal experiences and benefits her family had received from human services organizations. Speaking to various funding cuts to local non-profit organizations, she requested that Council continue their human services funding.

Ruth Rideout, residing at 22 Brookway Drive, representing Faith Matters, spoke to operation of the organization and to the number of citizens served; she noted the organization's efforts to reduce operational costs. Ms. Rideout spoke to funding cutbacks, sources of funding, fund raising efforts, etc. She requested that Council continue City funding to human services organizations. In response to Council inquiry as to whether this was a religious organization, Ms. Rideout advised Faith Matters was faith based but this did not impact their service.

Christina Dobson, residing at 2506 Beechcliff Lane; and Jennifer Rosenbluth, residing at 524 Poplar Hill Court, spoke to their participation as mentors with the YWCA Teen Parent Mentor Program, detailed the organization's benefits and special services for teen parents, spoke in opposition to budget cuts for human services agencies, and requested Council to continue to support this program and provide this service for these teenagers.

Barbara P. Walker, residing at 2705 Cottage Place, board member for the YWCA Teen Parent Mentor Program, requested Council to continue to support this program, and if possible, to increase the current funding. Ms. Walker spoke to the progress made in this program over the last few years and detailed the services provided to young women with children.

Cindi Dorman, residing at 607 Candlewood Drive, representing Family Life Council, detailed the work of the organization and its challenges in providing services to teen mothers; she spoke to the history and results of the program. Ms. Dorman spoke to the loss of funding, noted that funding provided by the City helped to generate funding from other sources, and requested the Council to continue funding to this and other human service agencies.

Matthew V. Johnson, residing at 5547 Jason Road, member of Greensboro's Community Resource Board, offered his opinion that Council had a responsibility to promote a decent quality of life and that human services funding cuts would negatively impact the City's poor citizens. He requested Council to continue, and consider increasing, City funding to these agencies.

Alma Adams, residing at 2 Mandella Court, offered personal thoughts about Council's responsibility as elected officials, spoke to the services provided by human services agencies with limited resources, and requested the Council to consider the negative impact the lack of City support would have on these agencies. Ms. Adams requested that Council continue to provide funding to these agencies to enable them to provide services for families and individuals in need.

Councilmember Phillips offered his personal thoughts about Ms. Adams' comments and his perception of the role of elected officials who serve in Raleigh.

Mazie B. Ferguson, residing at 1000 Ross Avenue, requested Council to continue to provide funding for human services programs.

A number of the above speakers responded to Councilmember Johnson's inquiries with regard to their specific organization's applications for grants, outside funding, etc.

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Councilmember Carmany moved that Robert L. Faison be appointed to serve remainder of term of Dottie Salerno on the Community Resource Board; this term will expire 8-15-03. The motion was seconded by Councilmember Burroughs-White and adopted unanimously by voice vote of Council.

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Councilmembers Gatten, Burroughs-White and others offered personal thoughts with regard to the funding of human services agencies; the need for education, economic development and jobs for citizens; and the role the agencies play in readying citizens for those three things. Council discussion was held with regard to the overall issue of this funding; i.e., whether a public hearing would be held, the timeframe for Council to render a final decision, that this was a small portion of the City budget, that the issue was not about whether the agencies were worthwhile organizations worthy of funding, etc. The Mayor advised that Council would discuss this topic at the December 11 work session and would hopefully have a decision at that time. The City Manager advised that he would provide a list of funding for needy citizens at the December 11 meeting.

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The City Manager provided a status report with regard to efforts to address the media request for access to all correspondence Council received; he noted that he planned to have a system in place within the next week or so that would allow Council to forward emails to a media site. He emphasized it was important to recognize that this request was applicable not only to emails, but included all written correspondence; the City Manager noted that Council should provide the City Clerk with copies of mail received at other locations for placement at a central location where media representatives could have access to all the materials.

Cautioning citizens that all information received by Council would be shared with media representatives, members of Council discussed their concerns with regard to the decline in emails received by Council, the impact this request had on Council's ability to respond efficiently to the public, ongoing efforts to comply with the law, etc. Councilmember Gatten expressed her opinion that a warning should be placed on the City's website that would advise citizens that any correspondence was not confidential and would be available to the media. The Manager spoke to efforts to make that information more prominent on the website.

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Council discussed upcoming events and meetings of interest.

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The Manager advised Council was invited to attend a reception for the new Assistant City Managers, Ben Brown and Bob Morgan, scheduled in the Plaza Level Conference Room, from 4:30 – 5:45 p.m. prior to the December 17 Council meeting.

City Manager Kitchen provided information with regard to Greensboro's preparation for an ice storm that was expected to hit the City.

The Manager requested that Council adjourn to meeting in Closed Session for the purpose of discussing a Real Estate matter.

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After an inquiry by Councilmember Johnson as to Council's policy with regard to the presentation of a *Key to the City*, it appeared to be the consensus of Council that while there was no written policy, there was an informal agreement that Council would check with each other before presenting these keys to make sure there were no concerns.

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Councilmember Vaughan moved that the City Council adjourn to Closed Session for the purpose of discussing acquisition of property. The motion was seconded by Councilmember Carmany and adopted unanimously by voice vote of the Council.

THE CITY COUNCIL ADJOURNED TO CLOSED SESSION AT 8:20 P.M.

KEITH A. HOLLIDAY
MAYOR

JUANITA F. COOPER
CITY CLERK
